GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:154
ANSWERED ON:26.02.2008
SETTING UP OF FEDERAL INVESTIGATING AGENCY
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Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government proposes to set up Federal Investigating Agency (FIA) in the country;

(b) if so, the details thereof;

(c) whether some States are skeptical about setting up of this agency;

(d) if so, the details of the States and the reasons behind their apprehensions; and

(e) the time when this Agency is likely to be set up?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS(SHRI SRIPRAKASH JAISWAL)

(a) to (e): Various Committees have emphasized the need for investigation and prosecution of crimes having inter-state and international linkages by a central agency. The Supreme Court has, in the judgment delivered in September 2006, in the Writ Petition (Civil) case of Prakash Singh and others versus Union of India, sought comments of the National Human Rights Commission (NHRC), Bureau of Police Research and Development and the Ministry of Home Affairs in the matter. The Ministry of Home Affairs has been consulting the State Governments in the matter. Most the States, from which comments have been received have expressed reservations/ apprehensions on this issue, police and public order being in the State List in the Seventh Schedule of the Constitution. In this context, the Central Government has also proposed establishment of a Joint Consultative Mechnism to obtain the consent of the states on a case to case basis, for investigation by a central Agency of selected cases of terrorism that may have inter-state or international linkages and pose a direct threat to the national security and related crimes such as espionage, hijacking, smuggling of arms and Fake Indian Currency Notes from outside the country, etc. Efforts to evolve a consensus in the matter contiune to be made.